

Notice of Allowability

Application No.

10/764,845

Examiner

Michael C. Zarroli

Applicant(s)

BENSON ET AL.

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received 6/2/05.
2. ☒ The allowed claim(s) is/are 1,4-29 and 32-36.
3. ☒ The drawings filed on 26 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

MICHAEL C. ZARROLI
PRIMARY EXAMINER

Michael C. Zarroli
Primary Examiner
Art Unit: 2839

Michael C. Zarroli

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jim Muldoon on 7/20/05. This examiner amendment is being made to overcome new art found in class 174.

The application has been amended as follows: **Revise claims 1, 26 and 32 as shown below.**

1. (Currently Amended) ~~An enclosure for an electronic device~~ A filter assembly for use in a CATV system comprising:

a) a hollow body member for housing ~~an electronic device~~ a filter circuit said member having a central axis and opposite ends;

b) a filter circuit housed within said body member;

c) a header having a central axis and a threaded connector longitudinally adjoining one of said ends in coaxial relation; and

e)d) a notch in one of said body member and header and a tab on the other of said body member and header, said tab extending into said notch to rotationally lock said body member and said header to one another.

26. (Currently Amended) The method of fabricating and assembling ~~an~~ a filter assembly for use in a CATV system comprising:

- a) forming a hollow, cylindrical body member having a central axis, a body diameter and first and second ends in parallel planes;
- b) forming a first header having an annular portion;
- c) forming an axially extending notch at the first end of the body member substantially equal in diameter to the body diameter;
- d) forming an axially extending tab on the annular portion of the first header substantially equal in diameter to the body diameter;
- e) housing a filter circuit within said body member; and
- ~~e)f~~ slip fitting the tab on the header into the notch in the end of the body member to rotationally lock the header to the body member.

32. (Currently Amended) ~~An~~ A filter assembly for use in a CATV system comprising

- a) a hollow body member having a central axis, a body diameter and opposite ends in parallel planes, the body member having an axially extending notch at one end substantially equal in diameter to the body diameter; ~~and~~
- b) a filter circuit housed within said body member; and
- c) a header having a central axis longitudinally adjoining one of the ends in coaxial relation, the header having an axially extending tab substantially equal in diameter to the body diameter and configured to slip fit into the notch,

whereby the header and body member become rotationally locked in a slip fit assembly.

2. The following is an examiner's statement of reasons for allowance: Reasons for allowance of claims 7, 11 and 16 were given in the previous office action. The combination in claims 1, 26 and, 32 specifically the filter circuit contained in a housing having a tab and notch locking arrangement. See the discussion below of additional prior art found that do not read on the applicant's claims.

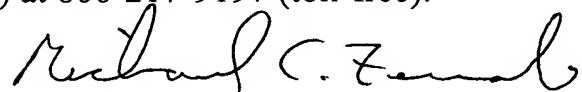
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Miller teaches a hollow body member with a notch and tab but no filter circuit and no locking arrangement with the notch and tab. Lukas et al teaches a hollow body member and header but no filter circuit or notch/tab locking arrangement. Weagant teaches a hollow body member with a notch and tab locking arrangement but no filter circuit.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T.C. Patel can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael C. Zarroli
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